

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TARZ MITCHELL,

Plaintiffs,

vs.

GREG COX, *et al.*,

Defendants.

2:12-cv-02082-JAD-CWH

ORDER

This matter is before the Court on Plaintiff's Motion Identifying Unserved Defendants and Requesting Issuance of Summons (#13), filed July 30, 2013. Pursuant to the Court's instruction in its order granting the application to proceed *in forma pauperis* (#8), Plaintiff has filed a motion identifying the unserved defendants and requesting issuance of summons for Defendant Nathan Courtney. The Nevada Attorney General's Office has filed a notice of the last known address, under seal, for Defendant Nathan Courtney. Consequently, the Clerk shall issue summons for Defendant Courtney and deliver a copy of the Summons and Complaint to the United States Marshal for service pursuant to Rule 4(c)(3). The Clerk shall send Plaintiff a blank Form USM-285, which Plaintiff shall submit to the United States Marshal prior to service on Defendant Courtney.

In his motion, Plaintiff provides additional information to aid the Nevada Attorney General's Office in determining the identity of certain defendants. Consistent with the requirements set forth order (#8), the Nevada Attorney General's Office shall, within **twenty-one (21) days** of the date of entry of this order, file a notice advising whether it will accept service on behalf of Defendants Espinoza and Guerro based on the additional information provided by Plaintiff in his motion (#13). If unable to accept

1 service, the Attorney General's office shall file, *under seal*, the last known addresses of Defendants
2 Espinoza and Guerro if it has the information.

3 Based on the foregoing and good cause appearing therefore,

4 **IT IS HEREBY ORDERED** that Plaintiff's Motion Identifying Unserved Defendants and
5 Requesting Issuance of Summons (#13) is **granted**.

6 **IT IS FURTHER ORDERED** that the Clerk shall issue Summons for Defendant Nathan
7 Courtney and deliver a copy of the Summons and Complaint to the United States Marshal for service.

8 **IT IS FURTHER ORDERED** that the Clerk shall send Plaintiff a blank Form USM-285.
9 Plaintiff shall fill in the form, except that the address for Defendant Courtney will be filled in by the
10 United States Marshal. Plaintiff shall return the Form USM-285 to the Marshal within **twenty-one (21)**
11 **days** of receipt of the Form.

12 **IT IS FURTHER ORDERED** that the Nevada Attorney General's Office shall, within **twenty-**
13 **one (21) days** of the date of entry of this order, file a notice advising whether it will accept service on
14 behalf of Defendants Espinoza and Guerro based on the additional information provided by Plaintiff in
15 his motion (#13). If unable to accept service, the Attorney General's office shall file, *under seal*, the last
16 known addresses of Defendants Espinoza and Guerro if it has such information.

17 DATED: October 31, 2013.

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20 C.W. Hoffman, Jr.
21 UNITED STATES MAGISTRATE JUDGE
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